

## Coast Guard, DHS

## § 54.05

and the name of the person or official to whom the communication was made.

(c) A member of the Coast Guard who alleges reprisal for making or preparing to make a protected communication may submit an application for the correction of military records to the Board, in accordance with regulations governing the Board. See 33 CFR part 52.

(d) An application submitted under paragraph (c) of this section shall be considered in accordance with regulations governing the Board. See 33 CFR part 52.

[56 FR 13405, Apr. 2, 1991, as amended by USCG-2009-0239, 75 FR 79960, Dec. 21, 2010]

### PART 54—ALLOTMENTS FROM ACTIVE DUTY PAY FOR CERTAIN SUPPORT OBLIGATIONS

Sec.

54.01 Purpose.

54.03 Persons authorized to give notices.

54.05 Form and contents of notice.

54.07 Service of notice upon designated Coast Guard official.

AUTHORITY: 42 U.S.C. 665(c).

SOURCE: CGD 82-109, 48 FR 4285, Jan. 31, 1983, unless otherwise noted.

#### § 54.01 Purpose.

This part prescribes procedures for State officials to notify the Coast Guard that a member on active duty is delinquent in meeting an obligation for child support alone, or both child and spousal support, in an amount equal to the support payable for two months or longer. Under 42 U.S.C. 665, an allotment may be taken from the pay and allowances of the member in this situation.

#### § 54.03 Persons authorized to give notices.

For the purpose of instituting an allotment under this part, notice that a Coast Guard member is delinquent in meeting support obligations may be given by:

(a) Any agent or attorney of any State having in effect a plan approved under Part D of Title IV of the Social Security Act (42 U.S.C. 651-664), who has the duty or authority to seek recovery of any amounts owed as child or

child and spousal support, including any official of a political subdivision when authorized under a State plan.

(b) The court that has authority to issue an order against the member for the support and maintenance of a child, or any agent of that court.

#### § 54.05 Form and contents of notice.

(a) The notice required to institute an allotment under this part must be given in the form of a court order, letters, or other document issued by a person specified in § 54.03.

(b) The notice must:

(1) Provide the full name, social security number, and duty station of the member who owes the support obligation;

(2) Specify the amount of support due, and the period in which it has remained owing;

(3) Be accompanied by a certified copy of an order directing the payment of this support issued:

(i) By a court of competent jurisdiction, or;

(ii) In accordance with an administrative procedure which is established by State law, affords substantial due process, and is subject to judicial review;

(4) Provide the full name, social security number, and mailing address of the person to whom the allotment is to be paid;

(5) Identify the period in which the allotment is to remain in effect; and

(6) Identify the name and birth date of all children for whom support is to be provided under the allotment.

(c) Each notice must be accompanied by the following information:

(1) For each administrative order, a copy of all provisions of state law governing its issuance.

(2) For each court order and for each administrative order, if not stated in the support order:

(i) An explanation as to how personal jurisdiction was obtained over the member; and

(ii) A statement on the age of majority in the state law, with appropriate legal citations.